

Consolidated Appropriations Act of 2021, Public Law No: 116-260 (12/27/2020)

Sec. 1001

(b) Discharge.--

(1) In general.--Section 1328 of title 11, United States Code, is amended by adding at the end the following:

(i) Subject to subsection (d), after notice and a hearing, the court may grant a discharge of debts dischargeable under subsection (a) to a debtor who has not completed payments to the trustee or a creditor holding a security interest in the principal residence of the debtor if—

(1) the debtor defaults on not more than 3 monthly payments due on a residential mortgage under section 1322(b)(5) on or after March 13, 2020, to the trustee or creditor caused by a material financial hardship due, directly or indirectly, by the coronavirus disease 2019 (COVID-19) pandemic; or

(2)

(A) the plan provides for the curing of a default and maintenance of payments on a residential mortgage under section 1322(b)(5); and

(B) the debtor has entered into a forbearance agreement or loan modification agreement with the holder or servicer (as defined in section 6(i) of the Real Estate Settlement Procedures Act of 1974 (12 U.S.C. 2605(i)) of the mortgage described in subparagraph (A).

(2) Sunset.--Effective on the date that is 1 year after the date of enactment of this Act, section 1328 of title 11, United States Code, is amended by striking subsection (i).